

United States Bankruptcy Court  
Eastern District of California

In re Ennis Homes, Inc.

Debtor(s)

Case No. 09-10848

Chapter 11

**AMENDMENT COVER SHEET**

Amendment(s) to the following petition, list(s), schedule(s), or statement(s) are attached hereto:

- ☐ Petition ☐ Statement of Financial Affairs  
☐ Creditor Matrix ☐ Statement of Intention  
☐ List of 20 Largest Unsecured Creditors ☐ List of Equity Security Holders  
☐ Schedules (check appropriate boxes). See Instruction #4 below.  
☐ A ☒ B ☐ C ☐ D ☐ E ☐ F ☐ G ☐ H ☐ I ☐ J  
☒ Summary of Schedules (includes Statistical Summary of Certain Liabilities and Related Data)  
**REQUIRED IF AMENDING SCHEDULE(S) A, B, D, E, F, I, OR J.**

Purpose of amendment (check one):

- ☐ To add pre-petition creditors, change amounts owed or classifications of debt (\$26.00 fee required, provided the bankruptcy judge may, for good cause, waive the charge in any case.) **NOTE:** Lists, schedules and statements that add or change more than 10 creditors should be accompanied by an amended matrix listing only the creditors added or changed.  
☒ No pre-petition creditors were added, or amounts owed or classifications of debt changed.

**NOTICE OF AMENDMENT TO AFFECTED PARTIES**

Pursuant to Federal Rule of Bankruptcy Procedure 1009(a), I certify that notice of the filing of the amendment(s) checked above has been given this date to the Trustee in this case, and to any and all entities affected by the amendment, together with a copy of the notice of meeting of creditors, the discharge (if one has been entered), a subsequent notice to file claims (if one has been issued), and any other document affecting the rights of the added creditors. (NOTE: Proof of service, indicating that service has been made, must be filed with the Court.)

Dated:

3/10/09

Attorney's [or Pro Se Debtor's] Signature:

Printed Name:

Mailing Address:

Hagop T. Badoyan 131240  
5260 N. Palm Ave., Ste 217  
Fresno, CA 93704

**DECLARATION BY DEBTOR**

I(We), the undersigned debtor(s), hereby declare under penalty of perjury that the information set forth in the amendment(s) attached hereto, consisting of      pages, is true and correct to the best of my(our) information and belief.

Dated:

Brian Ennis  
CEO, Ennis Homes, Inc.  
Debtor's Signature

Dated:

3/10/09

Joint Debtor's Signature

**INSTRUCTIONS**

1. Use this cover sheet **ONLY** when filing amended petitions, lists, schedules and statements. *Do not use an amendment cover sheet when submitting amended plans or amendments to plans.*
2. Include the word "Amended" in the title of each amended document.
3. Amendments to property schedules (A and B), creditor schedules (D, E, and F), or income/expenses schedules (I and J) must be accompanied by an amended Summary of Schedules. Updates to the schedule totals will not be made unless the summary is filed.
4. Amendments to add creditors or change their names/addresses must consist of the amended schedule(s) with a notation to the right of the creditor entry of "A" if the creditor is being added or "C" if the creditor is being changed. Failure to include "A" and "C" notations on amended schedules may result in duplicate or multiple listings on master mailing lists.
5. Amendments which add or change more than 10 creditors must be accompanied by a separately filed amended matrix containing **ONLY** the additions/changes so that the creditors may be downloaded into the case. The matrix must not contain the "A" or "C" notations.
6. When e-Filing an amended matrix, you must submit two separate files: a PDF file containing the amendment cover sheet for the matrix, and a text file containing the creditors in the standard master address list format. These two files must be uploaded together.
7. Federal Rule of Bankruptcy Procedure 1009 requires the debtor to give notice of an amendment to the trustee and to any entity affected thereby. Notice of the amendment **WILL NOT** be given by the Clerk's Office. To comply with this requirement, the debtor's attorney or *Pro Se* debtor must give notice to the trustee and any entity affected by the amendment by serving all previous court notices including, but not limited to, the notice of meeting of creditors, discharge of debtor, etc. A proof of service, indicating that service has been made, must be filed with the court.
8. Checks and money orders should be payable to "Clerk, U.S. Bankruptcy Court." (NOTE: No personal checks will be accepted.)

**United States Bankruptcy Court**  
**Eastern District of California**

In re **Ennis Homes, Inc.**

Debtor

Case No. **09-10848**Chapter **11**

**SUMMARY OF SCHEDULES - AMENDED**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

| NAME OF SCHEDULE   | ATTACHED<br>(YES/NO) | NO. OF<br>SHEETS | ASSETS         | LIABILITIES    | OTHER |
|--|----------------------|------------------|----------------|----------------|-------|
| A - Real Property  | Yes                  | 2                | 13,420,000.00  |                |       |
| B - Personal Property  | Yes                  | 4                | 164,194,260.97 |                |       |
| C - Property Claimed as Exempt   | Yes                  | 1                |                |                |       |
| D - Creditors Holding Secured Claims   | Yes                  | 11               |                | 74,085,721.41  |       |
| E - Creditors Holding Unsecured<br>Priority Claims (Total of Claims on Schedule E) | Yes                  | 4                |                | 26,793.00      |       |
| F - Creditors Holding Unsecured<br>Nonpriority Claims                              | Yes                  | 96               |                | 75,755,484.82  |       |
| G - Executory Contracts and<br>Unexpired Leases                                    | Yes                  | 2                |                |                |       |
| H - Codebtors  | Yes                  | 2                |                |                |       |
| I - Current Income of Individual<br>Debtor(s)                                      | Yes                  | 1                |                |                | 0.00  |
| J - Current Expenditures of Individual<br>Debtor(s)                                | Yes                  | 1                |                |                | 0.00  |
| Total Number of Sheets of ALL Schedules  |                      | 124              |                |                |       |
| Total Assets   |                      |                  | 177,614,260.97 |                |       |
| Total Liabilities  |                      |                  |                | 149,867,999.23 |       |

**United States Bankruptcy Court**  
**Eastern District of California**

In re **Ennis Homes, Inc.**

Debtor

Case No. **09-10848**Chapter **11**

**STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)**

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

☐ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

**This information is for statistical purposes only under 28 U.S.C. § 159.**

**Summarize the following types of liabilities, as reported in the Schedules, and total them.**

| Type of Liability   | Amount |
|---|--------|
| Domestic Support Obligations (from Schedule E)  |        |
| Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)  |        |
| Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed) |        |
| Student Loan Obligations (from Schedule F)  |        |
| Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E                   |        |
| Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)                           |        |
| TOTAL   |        |

**State the following:**

|   |  |
|---|--|
| Average Income (from Schedule I, Line 16)   |  |
| Average Expenses (from Schedule J, Line 18)   |  |
| Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20 ) |  |

**State the following:**

|  |  |  |
|--|--|--|
| 1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column               |  |  |
| 2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column             |  |  |
| 3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column |  |  |
| 4. Total from Schedule F   |  |  |
| 5. Total of non-priority unsecured debt (sum of 1, 3, and 4)               |  |  |

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**SCHEDULE B - PERSONAL PROPERTY - AMENDED**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

**Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.**

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

| Type of Property   | N<br>O<br>N<br>E | Description and Location of Property              | Husband,<br>Wife,<br>Joint, or<br>Community | Current Value of<br>Debtor's Interest in Property,<br>without Deducting any<br>Secured Claim or Exemption |
|--|------------------|---|---|---|
| 1. Cash on hand  |                  | Cash  | -   | 2,805.00  |
| 2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives. |                  | Valley Business Bank Account #1609404             | -   | 3,532.83  |
|  |                  | Wells Fargo Bank Account #494-5009330 (Overdrawn) | -   | 0.00  |
|  |                  | Bank of America Account #1459065812               | -   | 17,504.62   |
|  |                  | Valley Business Bank Account #1013757             | -   | 5,000.00  |
|  |                  | Business Checking, Suncrest Bank #2001378         | -   | 915,819.70  |
|  |                  | Checking, Suncrest Bank #1659                     | -   | 10.00   |
| 3. Security deposits with public utilities, telephone companies, landlords, and others.  | X                |   |   |   |
| 4. Household goods and furnishings, including audio, video, and computer equipment.  | X                |   |   |   |
| 5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.  | X                |   |   |   |
| 6. Wearing apparel.  | X                |   |   |   |
| 7. Furs and jewelry.   | X                |   |   |   |
| 8. Firearms and sports, photographic, and other hobby equipment.   | X                |   |   |   |
| 9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.   | X                |   |   |   |
| Sub-Total ><br>(Total of this page)  |                  |   |   | 944,672.15  |

3 continuation sheets attached to the Schedule of Personal Property

In re **Ennis Homes, Inc.**Case No. **09-10848**

Debtor

**SCHEDULE B - PERSONAL PROPERTY - AMENDED**  
(Continuation Sheet)

| Type of Property  | N<br>O<br>N<br>E | Description and Location of Property                           | Husband,<br>Wife,<br>Joint, or<br>Community | Current Value of<br>Debtor's Interest in Property,<br>without Deducting any<br>Secured Claim or Exemption |
|---|------------------|--|---|---|
| 10. Annuities. Itemize and name each issuer.  | <b>X</b>         |  |   |   |
| 11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).) | <b>X</b>         |  |   |   |
| 12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.   | <b>X</b>         |  |   |   |
| 13. Stock and interests in incorporated and unincorporated businesses. Itemize.   | <b>X</b>         |  |   |   |
| 14. Interests in partnerships or joint ventures. Itemize.   | <b>X</b>         |  |   |   |
| 15. Government and corporate bonds and other negotiable and nonnegotiable instruments.  | <b>X</b>         |  |   |   |
| 16. Accounts receivable.  | <b>X</b>         |  |   |   |
| 17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.  | <b>X</b>         |  |   |   |
| 18. Other liquidated debts owed to debtor including tax refunds. Give particulars.  |                  | <b>Ennis Land Development (subject to \$66,696,979 offset)</b> | <b>-</b>                                    | <b>130,272,342.02</b>   |
|   |                  | <b>Brian Ennis</b>   | <b>-</b>                                    | <b>14,505,667.18</b>  |
|   |                  | <b>Pam Ennis</b>   | <b>-</b>                                    | <b>14,524,456.50</b>  |
|   |                  | <b>Ennis Properties, LLC</b>                                   | <b>-</b>                                    | <b>12,148.08</b>  |
|   |                  | <b>Ennis Enterprises, LLC</b>                                  | <b>-</b>                                    | <b>201,342.09</b>   |
|   |                  | <b>Ennis Construction Group, Inc.</b>                          | <b>-</b>                                    | <b>166,295.06</b>   |
|   |                  | <b>Ennis Family Investments, LLC</b>                           | <b>-</b>                                    | <b>1,962,045.14</b>   |

Sub-Total > **161,644,296.07**  
(Total of this page)

Sheet **1** of **3** continuation sheets attached  
to the Schedule of Personal Property

In re Ennis Homes, Inc.Case No. 09-10848

Debtor

**SCHEDULE B - PERSONAL PROPERTY - AMENDED**  
(Continuation Sheet)

| Type of Property  | N<br>O<br>N<br>E | Description and Location of Property               | Husband,<br>Wife,<br>Joint, or<br>Community | Current Value of<br>Debtor's Interest in Property,<br>without Deducting any<br>Secured Claim or Exemption |
|---|------------------|--|---|---|
| 19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.  | <b>X</b>         |  |   |   |
| 20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.  | <b>X</b>         |  |   |   |
| 21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.  | <b>X</b>         |  |   |   |
| 22. Patents, copyrights, and other intellectual property. Give particulars.   | <b>X</b>         |  |   |   |
| 23. Licenses, franchises, and other general intangibles. Give particulars.  | <b>X</b>         |  |   |   |
| 24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes. | <b>X</b>         |  |   |   |
| 25. Automobiles, trucks, trailers, and other vehicles and accessories.  |                  | <b>2007 BMW 650i (Leased)</b>                      | -   | <b>0.00</b>   |
|   |                  | <b>Subdivision trailer (book value)</b>            | -   | <b>5,679.00</b>   |
| 26. Boats, motors, and accessories.   | <b>X</b>         |  |   |   |
| 27. Aircraft and accessories.   | <b>X</b>         |  |   |   |
| 28. Office equipment, furnishings, and supplies.  |                  | <b>Canon Copier (True Lease)</b>                   | -   | <b>0.00</b>   |
|   |                  | <b>Computer and related equipment (book value)</b> | -   | <b>301,564.00</b>   |
|   |                  | <b>Office Equipment (book value)</b>               | -   | <b>1,645.00</b>   |
|   |                  | <b>Model home furnishings (book value)</b>         | -   | <b>134,593.00</b>   |
| Sub-Total ><br>(Total of this page)   |                  |  |   | <b>443,481.00</b>   |

Sheet 2 of 3 continuation sheets attached  
to the Schedule of Personal Property

In re **Ennis Homes, Inc.**Case No. **09-10848**

Debtor

**SCHEDULE B - PERSONAL PROPERTY - AMENDED**  
(Continuation Sheet)

| Type of Property  | N<br>O<br>N<br>E | Description and Location of Property   | Husband,<br>Wife,<br>Joint, or<br>Community | Current Value of<br>Debtor's Interest in Property,<br>without Deducting any<br>Secured Claim or Exemption |
|---|------------------|--|---|---|
| 29. Machinery, fixtures, equipment, and<br>supplies used in business.   |                  | <b>Construction equipment (book value)</b>   | -   | <b>1,315.00</b>   |
|   |                  | <b>Design studio equipment (book value)</b>  | -   | <b>266,612.00</b>   |
|   |                  | <b>Field equipment (book value)</b>  | -   | <b>0.00</b>   |
|   |                  | <b>Field vehicles (book value)</b>   | -   | <b>61,061.00</b>  |
|   |                  | <b>New Learning Center (book value)</b>  | -   | <b>135,862.00</b>   |
|   |                  | <b>Shop storage building (book value)</b>  | -   | <b>11,702.00</b>  |
| 30. Inventory.  | <b>X</b>         |  |   |   |
| 31. Animals.  | <b>X</b>         |  |   |   |
| 32. Crops - growing or harvested. Give<br>particulars.                  | <b>X</b>         |  |   |   |
| 33. Farming equipment and<br>implements.                                | <b>X</b>         |  |   |   |
| 34. Farm supplies, chemicals, and feed.                                 | <b>X</b>         |  |   |   |
| 35. Other personal property of any kind<br>not already listed. Itemize. |                  | <b>Funds held in escrow at Chicago Title for disputed<br/>liens on concluded sales</b> | -   | <b>685,259.75</b>   |

Sub-Total > **1,161,811.75**  
(Total of this page)  
Total > **164,194,260.97**

(Report also on Summary of Schedules)

Sheet **3** of **3** continuation sheets attached  
to the Schedule of Personal Property